

REMARKS

The applicant has carefully considered the Office action dated July 17, 2006 and the references it cites. By way of this Response, claims 17 and 32 have been amended and claim 23 has been cancelled without prejudice to its further prosecution. In view of the following, it is respectfully submitted that all pending claims are in condition for allowance and favorable reconsideration is respectfully requested.

As an initial matter, the applicant notes that claims 1, 2, 4, 5, 24-29 and 31 stand allowed and are not further discussed herein. Further, the Office action indicated that claims 14-16 and 23 would be allowed if rewritten in independent form. In accordance with this suggestion, claim 17 has been amended to incorporate the recitations of claim 23. Accordingly, claim 17 and the claims depending therefrom are in condition for allowance and will not be further discussed herein.

In view of the foregoing, the only independent claims remaining at issue are claims 7 and 32. The Office action noted that the 35 U.S.C. § 103 rejection of claim 7 is based on commonly owned US published application 2004/0039880 A1 (Pentkovski). As also noted in the Office action, this rejection can be overcome by making a showing that Pentkovski is disqualified as prior art under 35 U.S.C. § 103(c). In keeping with this suggestion, applicant hereby notes that Pentkovski and the instant application were commonly assigned and/or under an obligation to assign to Intel Corporation at the time of the invention. This point is demonstrated by the fact that Pentkovski, which has issued as U.S. Patent 6,976,131, is assigned on its face to Intel and the instant application is also assigned to Intel as recorded

at Reel 014392, frame 0485. Accordingly, Pentkovski is disqualified as prior art to this application, and claim 7 and all claims depending therefrom are in condition for allowance.

Turning to independent claim 32, the Office action rejected claim 32 as anticipated by Pentkovski by considering the Mstale state of Pentkovski to be an enhanced exclusive state. However, this is not correct. As noted in Table 1 on Page 2 of the Pentkovski publication, the Mstale state is a state in which “the cache line [in the shared cache] has been modified and the shared cache has a stale copy of the line.” Further, Pentkovski also states that, in the Mstale state, “some other L1 cache has a more recent copy” of the cache line. (*Id.*). In contrast, claim 32 and applicant’s specification at paragraph [0016] make it clear that “the enhanced exclusive state indicates a modified copy of the cache line is in the first cache and a non-modified copy of the cache line is in the second cache.” Since the Mstale state of Pentkovski recites the cache line in the shared cache as modified, the Mstale state is not the enhanced exclusive state recited in claim 32. Further, none of the other states specified in Pentkovski appear to fit this definition of an enhanced exclusive state. Accordingly, Pentkovski does not anticipate claim 32, and claim 32 is in condition for allowance.

In view of the foregoing, it is respectfully submitted that all pending claims are in condition for allowance.

If the Examiner is of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is invited to contact the undersigned at the number identified below.

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